IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 9619 of 1998

Between:

Lemon Merchant Growers Association,
Rep. by its President- T.Gopalreddy,
S/o. Ramireddy, Gudur, Nellore District.

... PETITIONER

AND

The Municipal Commissioner, Gudur Municipality,
Gudur, Nellore District.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or Direction, particularly one in the nature of Writ of Mandamus, declaring the action of the respondent in issuing the notification for leasing out the right in so far as the levying daily fees on the vehicles coming with Hay-Grass to the Katakaraja Street, Gudur, Nellore District., is arbitrary, illegal and set aside in so far as Item No. II of the schedule to the Notification No.3 dated 13/02/1998 and consequently direct the respondents not to levy daily fees on the vehicles coming with Hay-Grass to the Katakarja Street, Gudur.

Counsel for the Petitioner: MR.K.MURALIDHAR REDDY (Not present)
Counsel for the Respondent: MR.E.SAMBASIVA PRATAP (Not present)

The Court made the following:

ORDER:

The petitioner filed the present writ petition seeking Mandamus declaring the action of the respondent in issuing the notification for leasing out the right in so far as the levying daily fees on the vehicles coming with hay-grass to the Katakaraja Street, Gudur, Nellore District, as illegal and arbitrary.

2. When the matter is taken up today, none appears for the petitioner as well as the respondent. By lapse of time, the prayer in the writ petition has become infructuous.

Hence, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J

March 14, 2005

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1. *The Municipal Commissioner, Gudur Municipality, Gudur, Nellore District.*

2 C.D copies.

*Form-NIC-OGS/WP{**KCS**}*